

DISPOSITION: November 14, 1951. Default decree of condemnation and destruction.

FISH AND SHELLFISH

18716. Adulteration of frozen cod fillets. U. S. v. 41 Cartons * * *.
(F. D. C. No. 32886. Sample No. 12603-L.)

LIBEL FILED: March 19, 1952, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about February 4, 1952, by Gorton-Pew Fisheries Co., Ltd., from Gloucester, Mass.

PRODUCT: 41 cartons, each containing 12 1-pound packages, of frozen cod fillets at Knoxville, Tenn.

LABEL, IN PART: (Carton) "Cod Wax Gorton's Frozen Fillets."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: May 13, 1952. Default decree of condemnation and destruction.

18717. Adulteration and misbranding of oysters. U. S. v. 400 Cans, etc. * * *.
(F. D. C. No. 31972. Sample Nos. 3698-L, 3699-L.)

LIBEL FILED: November 7, 1951, Southern District of Georgia.

ALLEGED SHIPMENT: On or about October 25, 1951, by the J. W. Ferguson Seafood Co., from Remlik, Va.

PRODUCT: 600 1-pint cans of oysters at Augusta, Ga.

LABEL, IN PART: (400 cans) "Standards Rappahannock Brand Oysters" and (200 cans) "Extra Selects Rappahannock Brand Oysters."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definitions and standards of identity for oysters standards and oysters extra selects since they were not thoroughly drained and since the oysters extra selects were of such size that 1 gallon contained more than 210 oysters, and 1 quart of the smallest oysters selected contained more than 58 oysters.

DISPOSITION: December 3, 1951. Default decree of condemnation and destruction.

18718. Adulteration of oysters. U. S. v. 304 Cans, etc. (F. D. C. No. 31951. Sample Nos. 3695-L, 3696-L.)

LIBEL FILED: October 26, 1951, Western District of North Carolina.

ALLEGED SHIPMENT: On or about October 22, 1951, by the Gloucester Seafood Packing Co., from Bena, Va.

PRODUCT: 388 1-pint cans of oysters at Forest City, N. C.

LABEL, IN PART: "Oysters Selects King O'Sea" and "Oysters Standards Duke of Gloucester Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: November 21, 1951. Default decree of condemnation and destruction.

18719. Adulteration of oysters. U. S. v. 144 Pints * * *. (F. D. C. No. 30226. Sample No. 66983-K.)

LIBEL FILED: December 21, 1950, Northern District of New York.

ALLEGED SHIPMENT: On or about December 15, 1950, by the Bivalve Oyster Packing Co., from Bivalve, Md.

PRODUCT: 144 pints of oysters at Plattsburg, N. Y.

LABEL, IN PART: "B & L Brand Oysters Standards."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in whole or in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: February 1, 1951. Default decree of condemnation and destruction.

18720. Adulteration of frozen shrimp. U. S. v. 18 Cartons, etc. (F. D. C. No. 30337. Sample No. 74024-K.)

LIBEL FILED: December 13, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about November 13, 1950, by Woodcleft Fisheries, from Beaufort, S. C.

PRODUCT: 18 10-pound cartons and 21 5-pound cartons of frozen shrimp at Bronx, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: December 29, 1950. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

18721. Misbranding of canned cherries. U. S. v. 18 Cases * * *. (F. D. C. No. 32173. Sample No. 2990-L.)

LIBEL FILED: November 21, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about September 20, 1951, by the Wegner Canning Corp., from Sodus, N. Y.

PRODUCT: 18 cases, each containing 24 1-pound, 3-ounce cans, of cherries at Washington, D. C.

LABEL, IN PART: "Shurfine Pitted Red Sour Cherries Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product was a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present in the food since the label bore the statement "In Extra Heavy Syrup," whereas the product was packed in heavy sirup.

DISPOSITION: February 6, 1952. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.